

## **EXHIBIT B**

Clason, Donald

February 17, 2012

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IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GEORGIA-PACIFIC CONSUMER  
PRODUCTS LP, FORT JAMES  
CORPORATION, and  
GEORGIA-PACIFIC, LLC,  
Plaintiffs,  
vs.  
NCR CORPORATION,  
INTERNATIONAL PAPER CO.,  
and WEYERHAEUSER CO.,

Case No.: 1:11-cv-00483  
Judge Robert J. Jonker

Defendants.

VIDEOTAPED DEPOSITION OF DONALD CLASON

TAKEN BY: Plaintiffs Herein  
DATE: Friday, February 17, 2012  
TIME: 8:34 a.m. - 10:54 a.m.  
PLACE: Sarasota Meeting Center  
2042 Bee Ridge Road  
Sarasota, Florida  
REPORTED BY: Linda C. Mead, CCR, CSR  
Notary Public, State of Florida

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	2		4
1	APPEARANCES:	1	DEPOSITION OF: Donald Clason
2	GEORGE P. SIBLEY, III, ESQUIRE	2	
3	Hunton & Williams, LLP	3	Examination
4	951 East Byrd Street	4	Page
5	Richmond, Virginia 23219	5	By Mr. Sibley..... 6
6	Appearing on behalf of Plaintiffs	6	By Mr. Marriot..... 80
7	DAVID R. MARIOT, ESQUIRE	7	By Mr. Sibley..... 82
8	OWEN J.M. ROTH, ESQUIRE	8	
9	Cravath, Swaine & Moore, LLP	9	EXHIBITS
10	Worldwide Plaza	10	Description Page
11	825 Eighth Avenue	11	Exhibit 63 1966 Telephone Directory..... 18
12	New York, New York 10019	12	Exhibit 64 1971 Telephone Directory..... 27
13	Appearing on behalf of Defendant	13	Exhibit 65 1971 Organization Charts..... 32
14	NCR Corporation	14	Exhibit 66 Consolidated Statements Ending
15	J. CHRISTOPHER BAIRD, ESQUIRE	15	5/31/72..... 43
16	Perkins Coie, LLP	16	Exhibit 67 Open House Announcement..... 50
17	1201 Third Avenue	17	Exhibit 68 Letter/Financial Statements 12/18/72..61
18	Suite 4800	18	Exhibit 69 Letter to Anderson 11/21/72..... 65
19	Seattle, Washington 98101	19	Exhibit 70 Letter to Katz 7/14/00..... 68
20	Appearing on behalf of Defendant	20	Exhibit 71 Letter to Katz 8/21/00..... 72
21	Weyerhaeuser Company	21	
22		22	
		3	
1	APPEARANCES:	1	PROCEEDINGS
2		2	*****
3	MICHAEL D. MEUTI, ESQUIRE	3	
4	Baker Hostetler	4	THE VIDEOGRAPHER: Good morning. My name
5	PNC Center	5	is Rick Spector, Videographer for Henderson
6	1900 East 9th Street	6	Legal Services. This matter is before the
7	Suite 3200	7	United States District Court for the Western
8	Cleveland, Ohio 441114	8	District of Michigan, Southern Division.
9	Appearing on behalf of Defendant	9	This is the matter of Georgia Pacific
10	International Paper Company	10	Consumer Products, LP, Fort James Corporation
11		11	and Georgia-Pacific, LLC as Plaintiffs versus
12		12	NCR Corporation, International Paper Company
13		13	and Weyerhaeuser Company as Defendants. The
14		14	Case Number is 1:11-cv-000483 before Judge
15		15	Robert J. Jonker.
16		16	Today is Friday, February 17th, 2012.
17		17	It's 8:33 in the morning. This is the
18		18	deposition of Donald Clason.
19		19	At this time I'll ask the attorneys to
20		20	please introduce themselves.
21		21	MR. SIBLEY: Trey Sibley from Hunton &
22		22	Williams for Georgia-Pacific and the

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1       Q    Okay. With respect to carbonless paper, 2    where -- where did NCR get its carbonless paper? 3 <b>A    Where did --</b> 4       Q    Who was the supplier? 5 <b>A    At what point in time are you talking</b> 6 <b>about?</b> 7       Q    I'm talking about when you were in Los 8    Angeles. 9 <b>A    When I was in Los Angeles it was Business</b> 10 <b>Systems, Incorporated first and we bought some of</b> 11 <b>it -- most of it actually came from Mead.</b> 12       MR. MARRIOT: Just to be clear, are we 13      talking about the period from '60 to '64 before 14      NCR or '64 -- 15       BY MR. SIBLEY: 16       Q    If it's the -- Was it the same operation 17      all six years just a change in ownership in 1964? 18 <b>A    It was -- Yeah. It was the same people,</b> 19 <b>the same everything. Nothing changed really except</b> 20 <b>the ownership as far as NCR from about '60 to '66.</b> 21       Q    And how did that paper come to the -- 22      those facilities in Los Angeles? Did it come in big	14 1       Q    I'm talking about all paper. 2 <b>A    All paper.</b> 3       Q    In the course of making business forms. 4 <b>A    Well, scrap -- Ask the question again now.</b> 5       Q    The scrap paper that would be generated in 6    the process of making business forms, what did you 7    call that? 8 <b>A    Well, it called in two categories. One</b> 9 <b>was -- One was scrap or waste and the other was</b> 10 <b>trim.</b> 11       Q    What was the difference between the two? 12 <b>A    Waste basically -- mostly involved</b> 13 <b>wrappers or just the beginning of a roll or the end</b> 14 <b>of a roll.</b> 15       Q    And trim was everything else? 16 <b>A    Yes. Trim was the smaller portion because</b> 17 <b>we tried to buy it to size.</b> 18       Q    Okay. And during this period when you 19      were a controller, what was -- what did Business 20     Systems or later NCR do with that trim as it was 21     generated? 22 <b>A    There were two sides to it because you're</b>	16
15 1       rolls? 2 <b>A    Yeah. It came in rolls or in some cases</b> 3 <b>in sheets. We had both sheet-fed and roll-fed</b> 4 <b>presses.</b> 5       Q    And at your facility the forms would be 6      cut down to size and printed? 7 <b>A    Yes.</b> 8       Q    And in the course of that process there 9      would be scrap paper generated, correct? 10 <b>A    Yes.</b> 11       Q    And during the -- that time period, what 12      would you have referred -- how would you have 13      described that paper? What term would you have 14      used? 15 <b>A    What paper?</b> 16       Q    The scrap paper. 17 <b>A    The scrap.</b> 18       MR. MARRIOT: I'm sorry. I just want to 19      make sure we're clear about whether we're now 20      talking about the carbonless copy paper or any 21      other paper that was there. 22       BY MR. SIBLEY:	17 1       talking about carbonless. Carbonless we did nothing 2      with basically. The other trim and waste was sold 3      as scrap, but carbonless couldn't be sold as scrap 4      so we typically burned it. There was very little of 5      it back in those days. 6       Q    Back in those days. 7       The carbonless paper that was used during 8      this period, that would have been what's known as 9      NCR paper, correct? 10 <b>A    Yes.</b> 11       Q    And you're aware now that that paper 12      contained as part of the emulsion that coated it a 13      chemical -- a set of chemicals known as 14      polychlorinated biphenyl or PCBs? 15 <b>A    I've heard that term, but I'm not in the</b> 16 <b>paper business so I don't know much about it to tell</b> 17 <b>you the truth.</b> 18       Q    Okay. The -- Was there a point in time 19      when you came to learn that NCR paper of this 20      vintage used PCBs as part of the technology that 21      made it work? 22 <b>A    Not particularly. I didn't get into the</b>	17

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<p>1   <b>certainly less than one percent.</b></p> <p>2    Q   Less than one percent?</p> <p>3    <b>A   Yes.</b></p> <p>4    Q   Okay. And did -- during that time period,</p> <p>5    did NCR keep track of how much it was losing as</p> <p>6    trim, converter trim?</p> <p>7    <b>A   Not between -- not separating between</b></p> <p>8   <b>them. We kept track of waste and trim, yes, but not</b></p> <p>9   <b>separating out carbonless and bond and carbon and</b></p> <p>10   <b>carbon paper and all that. It was not separated.</b></p> <p>11   Q   With respect to other types of paper, you</p> <p>12   mentioned bonded and carbon. Let's deal with all</p> <p>13   paper used to create forms at Washington Court House</p> <p>14   during this time period. As a percentage how much</p> <p>15   trim would have been generated?</p> <p>16   <b>A   I would be guessing to be really precise</b></p> <p>17   <b>40 years ago, but certainly less than one percent.</b></p> <p>18   Q   Combined for all paper?</p> <p>19   <b>A   Yes.</b></p> <p>20   Q   Less than one percent?</p> <p>21   <b>A   Sure.</b></p> <p>22   Q   How many tons -- Let me try it this way:</p>	<p>1    <b>A   Yes.</b></p> <p>2    Q   What sort of brokers -- Which brokers did</p> <p>3    NCR use, if you know, to buy other types of paper</p> <p>4    other than carbonless?</p> <p>5    <b>A   I don't know names. It was a very, very</b></p> <p>6   <b>small activity. Very small.</b></p> <p>7    Q   Are you familiar with a company called the</p> <p>8   Montgomery Paper Company?</p> <p>9    <b>A   No.</b></p> <p>10   Q   What about National Fiber Supply?</p> <p>11   <b>A   No.</b></p> <p>12   Q   What about Continental Paper Grading?</p> <p>13   <b>A   No.</b></p> <p>14   Q   So what did NCR do with the trim, the</p> <p>15   carbonless trim?</p> <p>16   <b>A   For the most part they burned it.</b></p> <p>17   Q   And where did they burn it?</p> <p>18   <b>A   Well, they had boilers at the time.</b></p> <p>19   Q   So there would have been some sort of</p> <p>20   incinerator on site?</p> <p>21   <b>A   Yeah, back in those days. Again, we're</b></p> <p>22   <b>talking about '64. It was very, very small. I</b></p>
39	41
<p>1   Did you keep track of how many -- how much -- how</p> <p>2   many tons per week of paper came into that -- or to</p> <p>3   any printing facility?</p> <p>4   <b>A   Sure.</b></p> <p>5   Q   Do you recall with respect to Washington</p> <p>6   Court House how many tons per week paper came into</p> <p>7   the facility?</p> <p>8   <b>A   No.</b></p> <p>9   Q   And let's talk about -- continue to talk</p> <p>10   about converter trim. During this time period would</p> <p>11   NCR have sold converter trim to waste paper brokers?</p> <p>12   <b>A   If you're talking about carbonless paper,</b></p> <p>13   <b>no.</b></p> <p>14   Q   Okay. NCR did not?</p> <p>15   <b>A   We couldn't sell carbonless paper, the</b></p> <p>16   <b>trim. Brokers wouldn't buy it.</b></p> <p>17   Q   But they would buy other trim?</p> <p>18   <b>A   Yes.</b></p> <p>19   Q   Did -- Did NCR segregate the paper?</p> <p>20   <b>A   Yes.</b></p> <p>21   Q   Okay. And is this at all of -- all of</p> <p>22   NCR's facilities?</p>	<p>1    <b>mean, it really wasn't very much at all. Most of</b></p> <p>2   <b>the forms we made were bond and carbon, they were</b></p> <p>3   <b>not carbonless.</b></p> <p>4   Q   This -- Most of the forms you made were</p> <p>5   bonded carbon you said?</p> <p>6   <b>A   Bond and carbon.</b></p> <p>7   Q   Bond and carbon.</p> <p>8   <b>A   Again, we're talking back in the '60s.</b></p> <p>9   Q   Did -- But NCR did use carbonless copy --</p> <p>10   did create carbonless forms, correct?</p> <p>11   <b>A   Sure.</b></p> <p>12   Q   During this time period, right?</p> <p>13   <b>A   Yes.</b></p> <p>14   Q   And as a percentage -- Do you know sitting</p> <p>15   here today as a percentage how much carbonless was</p> <p>16   used in comparison to the other types of paper at</p> <p>17   Washington Court House?</p> <p>18   <b>A   No. I wouldn't know that.</b></p> <p>19   Q   Now, when NCR sold business forms to</p> <p>20   customers, were there times when customers rejected</p> <p>21   the delivery because -- for one reason or another?</p> <p>22   <b>A   I can't think of any frankly.</b></p>

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